

City Hall, Lodi, Cal., August 18, 1919.

The Board of Trustees of the City of Lodi convened in regular session at 8 o'clock p.m., there being present Trustees Black, Hale, Crose, Montgomery and Morehead.

Minutes of the previous meeting were read and approved.

Building permits were granted as follows:

Mrs. Myers, dwelling, block 13, Barnhart Tract.  
Francis Erickson, dwelling, lot 16, block C, Barnhart Tract.  
Susan A. Bawden, addition to dwelling, lot 6, block 14.  
J. M. Paul, dwelling, lot 18, block 47, Brier & Keeney Add.  
Jules Perrin, addition to dwelling, 205 S. Sacramento St.

The matter of consideration of protests against the work and improvement contemplated under Resolution of Intention No. 24, having been postponed and continued from August 11th to 8 o'clock p.m. this date, Attorney Glenn West presented a further protest and remonstrance against the paving of Walnut Street, in the City of Lodi and addressed the Board in support of same.

Attorney A. L. Levinsky addressed the Board in support of protests of Central California Traction Company, Central Pacific Railway Company and Southern Pacific Company against work and improvement provided for by Resolution of Intention No. 24.

#### RESOLUTION OVERRULING PROTEST.

WHEREAS, the Board of Trustees of the City of Lodi, did, on the 21st day of July, A.D. 1919, pass its Resolution of Intention No. 24, to order certain street work to be done and improvements to be made in said city, under and in pursuance of the "Improvement Act of 1911", the names of the streets and highways proposed to be improved and the location and character of said proposed work being described in said Resolution of Intention, which is hereby expressly referred to for further particulars, and

WHEREAS, certain owners of property liable to be assessed for said work made written protest or objections in writing and delivered the same to the Clerk not later than the hour set for hearing such objection, to-wit, - 8 o'clock P.M. on Monday, the 11th day of August, A.D. 1919; and

WHEREAS, the consideration of said protests and the matter of ordering said proposed work set forth in said Resolution of Intention, were regularly postponed and continued until this 18th day of August, A.D. 1919, at the hour of 8 o'clock P.M. and said matters coming on regularly to be heard, the Board of Trustees proceeded to hear the same, and all of said protests or objections having been duly heard and considered, and said Board being required to pass upon the same, it is hereby,-

RESOLVED, by the Board of Trustees of the City of Lodi, that all of the said protests and objections against said proposed work or improvement, be, and the same are hereby overruled and denied.

RESOLVED, further, that said Board finds that said protests are made by the owners of less than one-half of the area of the property to be assessed for said improvements.

The foregoing resolution was adopted by the following vote:

Ayes: Trustees Crose, Hale, Montgomery, Morehead and Black.

Noes: None.

Absent : None.

#### RESOLUTION ORDERING THE WORK.

RESOLVED, that whereas the Board of Trustees of the City of Lodi, did, on the 21st day of July, A. D. 1919, pass its Resolution of Intention No. 24, to order the hereinafter described work to be done and improvement to be made in said City, which Resolution of Intention was duly and legally published as required by law, as appears from the affidavit of publication in the Lodi Sentinel made by C. E. Percival, now on file in the office of the City Clerk of the City of Lodi; and whereas, notices of the passage of said Resolution of Intention No. 24, headed "NOTICE OF IMPROVEMENT" were duly and legally posted along the line of said contemplated work

and improvement and in front of all the property liable to be assessed therefor, and on each and every street and highway in the assessment district described in said Resolution of Intention, in time, form, manner and number as required by law, after the passage of said Resolution of Intention, as appears from the affidavit of H.B. COLEMAN, who personally posted the same, and who, upon the completion of said notices, filed said affidavit in the office of said City Clerk, making oath that he completed the posting of said notices on the 28th day of July, A.D. 1919; and

WHEREAS, all protests or objections presented have been disposed of in time, form and manner as required by law, the Board of Trustees having found that said protests were made by the owners of less than one-half of the area of the property to be assessed for said improvements, and said Board having now acquired jurisdiction to order the proposed improvement, it is hereby,-

RESOLVED, that the public interest and convenience require the work herein described and the Board of Trustees of the City of Lodi, hereby order the following work to be done and improvement to be made in said City, to-wit:

That Walnut Street, in said City, from the East line of Hutchins Street to the West line of Lee Avenue and from the East line of Lee Avenue, to the West line of Sacramento Street, and from the East line of Sacramento Street to a line 247.5 feet East of and parallel to the West line of Sacramento Street; and from a line 234.5 feet West of and parallel to the East line of Main Street, to the City Limits on the East, being the West line of Cherokee Lane.

**BE IMPROVED:**

(1) By grading the roadway and curb and gutter spaces of said Walnut

Street.

(2) By constructing hydraulic concrete curbs and gutters of the combined type along each side of the roadway of said Walnut Street.

(3) By paving the roadway of said Walnut Street, between the gutter lines, with a pavement consisting of one and one-half (1½) inches of Warrentite Wearing Surface, laid on an asphaltic concrete base two and one-half (2½) inches in thickness.

(4) By constructing sidewalk approaches to each of the East and West curbs on each of the intersections of said Walnut Street with all streets

and avenues intersecting the same and terminating therein.

EXCEPTING, however, from all of the hereinabove described work, such portion as is required by law to be kept in order or repair by any person or company having railroad tracks thereon; and excepting also from all of the hereinabove described work, any of said work already done to the official grade.

All of said work shall be done in accordance with the plans and specifications heretofore adopted for doing said work and now on file in the office of the City Clerk; and

Where certain work proposed to be done on the respective streets, avenues and highways aforementioned is described as being between certain lines, it includes the doing of all such work upon the street intersections and terminations between such lines, unless otherwise shown on the plans; providing, however, that any duplication in such description shall be ignored.

Attention is also called to the Warrentite License Mixture Agreement for California, executed by Warren Brothers Company, the owner and holder of the patents and processes covering the said Warrentite Pavement, which agreement is on file in the office of the City Clerk, and is hereby expressly referred to for greater certainty.

And, whereas, said contemplated work and improvement, in the opinion of the Board of Trustees, is of more than local or ordinary public benefit, said Board hereby makes the expense of said work or improvement, chargeable upon a district, which district said Board hereby declares to be the district benefitted by said work and improvement, and to be assessed to pay the cost and expenses thereof; which said district is bounded and described as follows:

Commencing at a point on the East line of Hutchins Street where a line parallel to and 170 feet North of the North line of Walnut Street would intersect said East line of Hutchins Street, and running thence Easterly on and along said parallel line and distant 170 feet North of the North line of Walnut Street to the intersection of the East line of Cherokee Street with the South line of the alley running East and West between Walnut and Oak Streets; thence continuing Easterly along the South line of said alley to the intersection of its production with the West line of Cherokee Lane, it being the East limits of said City of Lodi; thence Southerly and along said City Limits of said City of

Lodi to a point on the same 110.5 feet South of the South line of Walnut Street; thence Westerly on a straight line to a point on the East line of Cherokee Street 126.5 feet South of the South line of Walnut Street; thence continuing Westerly on a straight line to a point on the East line of Hutchins Street 340 feet South of the South line of Walnut Street; thence Northerly and along said East line of Hutchins Street to the point of beginning.

PROVIDED, nevertheless, that the streets, avenues and alleys situated within said district shall be omitted from any assessment made or levied for paying the costs and expenses

the above mentioned work and improvement, the said streets, avenues and alleys belonging to said city, and being in use for the performance of a public function, to-wit, in use as public streets, avenues and alleys.

And it is further ordered and notice is hereby given that serial bonds to represent unpaid assessments, and bear interest at the rate of seven per cent (7%) per annum will be issued hereunder in the manner provided by the Improvement Bond Act of 1915, and Acts amendatory thereto, the last installment of which bonds shall mature nine years from the 2nd day of July, next succeeding nine months from their date.

This Resolution is adopted pursuant to the provisions of those certain Acts of the Legislature of the State of California, designated respectively as the "Improvement Act of 1911", and the "Improvement Bond Act of 1915", and Acts amendatory thereto.

The City Clerk is hereby directed to post a notice of said work together with the plans and specifications therefor, conspicuously for five days on or near the Council Chamber door, inviting sealed proposals or bids for doing the work ordered. He is also directed to publish three times, a notice inviting such proposals, and referring to the specifications posted or on file, in THE LODI SENTINEL, a tri-weekly newspaper published and circulated in said City of Lodi, and hereby designated for that purpose, said paper being the offi-

cial newspaper of the said City of Lodi.

The foregoing resolution ordering the work provided for in Resolution of Intention No. 24 was adopted by the following vote:  
 Ayes: Montgomery, Hale, Crose, Morehead and Black.  
 Noes: None.  
 Absent: None.

Attorney A. L. Levinsky filed written protest of Central Pacific Railway Company and Southern Pacific Company against the work and improvement contemplated under Resolution of Intention No. 25 and addressed the Board in support of said protest.

#### RESOLUTION OVERRULING PROTEST.

WHEREAS, the Board of Trustees of the City of Lodi did on the 28th day of July, A.D. 1919, pass its Resolution of Intention No. 25, to order certain street work to be done and improvement to be made in said City, under and in pursuance of the "Improvement Act of 1911", the names of the streets and highways proposed to be improved and the location and character of said proposed work being described in said Resolution of Intention, which is hereby expressly referred to for further particulars, and

WHEREAS, certain owners of property liable to be assessed for said work, made written protest or objections in writing and delivered the same to the Clerk not later than the hour set for hearing such objection, and

WHEREAS, at the time set for hearing protests or objections, the Board of Trustees proceeded to hear the same, and all of said protests or objections having been heard and duly considered, and said Board being required to pass upon the same, it is hereby

RESOLVED, by the Board of Trustees of the City of Lodi, that all of the said protests and objections against said work and improvement, be, and the same are hereby overruled and denied.

RESOLVED, further, the said Board finds that said protests are made by the owners of less than one-half of the area of the property to be assessed for said improvements.

The foregoing resolution was passed by the following vote:  
 Ayes: Trustees Hale, Montgomery, Crose, Morehead and Black.  
 Noes: None.  
 Absent: None.

#### RESOLUTION ORDERING THE WORK.

RESOLVED, that whereas, the Board of Trustees of the City of Lodi, did on the 28th day of July, A.D. 1919, pass its Resolution of Intention No. 25, to order the hereinafter described work to be done and improvement to be made in said City, which Resolution of Intention was duly and legally published as required by law, as appears from the affidavit of publication in THE LODI SENTINEL, made by Geo. H. Moore, now on file in the office of the City Clerk of said City of Lodi; and

WHEREAS, notices of the passage of said Resolution of Intention No. 25, headed "NOTICE OF IMPROVEMENT" were duly and legally posted along the line of said contemplated work and improvement and in front of all the property liable to be assessed therefor, and on each and every street and highway in the assessment district described in said Resolution of Intention, in time, form, manner and number as required by law, after the passage of said Resolution of Intention, as appears from the affidavit of H. B. COLEMAN, who personally posted the same, and who, upon the completion of the posting of said notices, filed said affidavit in the office of said City Clerk, making oath that he completed the posting of said notices on the 4th day of August, A. D. 1919; and

WHEREAS, all protests or objections presented, have been disposed of in time, form and manner as required by law, the Board of Trustees having found that said protests were made by the owners of less than one-half of the area of the property to be assessed for said improvements, and said Board having now acquired jurisdiction to order the proposed improvement, it is hereby,-

RESOLVED, that the public interest and convenience require the work herein described and the Board of Trustees of the City of

Lodi, hereby order the following work to be done and improvement to be made in said City, to-wit:-

<p>That Oak Street, from a line 165 feet West of the West line of Main Street, to the West Line of Cherokee Lane, it being the City Limits on the East,—</p> <p>BE IMPROVED:</p> <p>(1) By grading the roadway and curb and gutter spaces of said Oak Street.</p> <p>(2) By constructing hydraulic concrete curbs and gutters of the combined type along each side of the roadway of said Oak Street.</p>	<p>(3) By paving the roadway of said Oak Street, between the gutter lines, with a pavement consisting of one and one-half (1½) inches of Warrenite Wearing Surface, laid on an asphaltic concrete base two and one-half (2½) inches in thickness.</p> <p>(4) By constructing sidewalk approaches to each of the East and West curbs on each of the intersections of said Oak Street with all streets and avenues intersecting the same and terminating therein.</p>	<p>EXCEPTING, however, from all of the hereinabove described work, such portion as is required by law to be kept in order or repair by any person or company having railroad tracks thereon; and excepting also from all of the hereinabove described work, any of said work already done to the official grade.</p> <p>All of said work shall be done in accordance with the plans and specifications heretofore adopted for doing said work and now on file in the office of the City Clerk, and</p>
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where certain work proposed to be done on the respective streets, avenues and highways aforementioned is described as being between certain lines, it includes the doing of all such work upon the street intersections and terminations between such lines, unless otherwise shown on the plans; providing, however, that any duplication in such description shall be ignored.

Attention is also called to the Warrenite License Mixture Agreement for California, executed by Warren Brothers Company, the owner and holder of the patents and processes covering the said Warrenite pavement, which agreement is on file in the office of the City Clerk, and is hereby expressly referred to for greater certainty.

And, whereas, said contemplated work and improvement, in the opinion of the Board of Trustees, is of more than local or ordinary public benefit, said Board hereby makes the expense of said work or improvement, chargeable upon a district, which district said Board hereby declares to be the district benefitted by said work and improvement, and to be assessed to pay the cost and expenses thereof; which said district is bounded and described as follows:

<p>Commencing at a point on the North line of Oak Street distant 165 feet West of the West line of Main Street, and running thence Northerly and parallel to the West line of Main Street 170 feet to a point; thence Easterly and along a line 170 feet North of and parallel to the North line of Oak Street to the intersection of the East line of Cherokee Street with the South line of the alley running East and West between Pine and Oak Streets; continuing thence Easterly and along said South line of said alley to the intersection of its production with the West line of Cherokee Lane, it being the Limits of the City of Lodi on the East; thence Southerly and along said City Limits to the intersection of said West line of Cherokee Lane with the production of the</p>	<p>South line of the alley running East and West between Oak and Walnut Streets; thence Westerly on and along said South line of said alley produced to a point on said line 150 feet East of the East line of Garfield Street; thence Northerly and parallel with said East line of Garfield Street, 20 feet to the North line of said last named alley; thence Westerly on and along said North line of said alley to its intersection with the East line of Stockton Street; thence along a line parallel with and 170 feet South of the South line of Oak Street to a point on the same 165 feet West of the West line of Main Street; thence Northerly and along a line 165 feet West of and parallel to the West line of Main Street to the point of beginning.</p>	<p>PROVIDED, nevertheless, that the streets, avenues and alleys situate within said district shall be omitted from any assessment made or levied for paying the costs and expenses of the above mentioned work and improvement, the said streets, avenues and alleys belonging to said city, and being in use for the performance of a public function, to-wit, in use as public streets, avenues and alleys.</p> <p>And it is further ordered and notice is hereby given that serial bonds to represent unpaid assessments, and bear interest at the rate of seven per cent (7%) per annum will be issued hereunder in the manner provided by the Improvement Bond Act of 1915, and Acts Amendatory thereto, the last installment of which bonds shall mature nine years from the 2nd day of</p>
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July, next succeeding nine months from their date.

This resolution is adopted pursuant to the provisions of those certain Acts of the Legislature of the State of California, designated respectively as the "Improvement Act of 1911", and the "Improvement Bond Act of 1915" and Acts amendatory thereto.

The City Clerk is hereby directed to post a notice of said work, together with the plans and specifications therefor, conspicuously for five days on or near the Council Chamber door, inviting sealed proposals or bids for doing the work ordered. He is also directed to publish three times, a notice inviting such proposals, and referring to the specifications posted or on file in THE LODI SENTINEL, a tri-weekly newspaper published and circulated in said City of Lodi, and hereby designated for that purpose, said paper being the official newspaper of said City of Lodi.

The foregoing resolution was adopted by the following vote:  
 Ayes: Trustees Morehead, Montgomery, Crose, Black and Hale.  
 Noes: None.  
 Absent: None.

Attorney A. L. Levinsky filed petition of Setchell Fruit Company, a corporation, praying for an ordinance granting said corporation the right to extend a spur track of the Central California Traction Company across certain streets in the City of Lodi, which application was ordered filed, whereupon the following resolution was introduced by Trustee Crose:

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In the Matter of the Application of SETCHELL FRUIT COMPANY, a corporation, for a spur track.

RESOLUTION FIXING TIME AND PLACE FOR HEARING PETITION.

SETCHELL FRUIT COMPANY, a Corporation, having on the 18th day of August, 1919, filed its petition with this, the Board of Trustees, of the City of Lodi, County of San Joaquin, State of California, praying for an ordinance granting to it, its successors and assigns, the right, privilege and permission to construct, lay down and maintain, a railroad track of standard gauge, and to pass with, and operate, with locomotives and cars, propelled by steam, electricity, or other lawful motive power, over, along, upon and across, certain streets, portions of streets, and other places in the City of Lodi, County of San Joaquin, State of California, and having at the same time and place presented to and filed with, this, the Board of Trustees, of the City of Lodi, an Ordinance in accordance with the prayer of its said petition, and under and by the Charter of the said City of Lodi, no action can be taken on said Ordinance, until Five (5) shall have elapsed since the introduction and filing of the same;

NOW, THEREFORE, this, the Board of Trustees of the City of Lodi, does hereby fix Monday, the 25th day of August, 1919, at the hour of eight o'clock P.M., of said day, at the Chambers of this, the Board of Trustees of the City of Lodi, in the City Hall, of the City of Lodi, as the time and place for hearing the aforesaid petition, and the aforesaid ordinance.

The foregoing ordinance fixing time and place for hearing petition and ordinance in the matter of Setchell Fruit Company's application for permission to extend a spur track in the city of Lodi, was adopted by the following vote:

Ayes: Trustees Crose, Montgomery, Hale, Morehead and Black.

Noes: None.

Absent: None.

Upon motion of Trustee Montgomery, seconded by Trustee Crose, in the matter of the purchase of food stuffs being sold by the government the President of the Board was given full power to act.

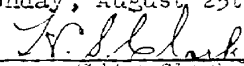
Beckman, Welch & Thompson Company and Roy Goodman each offered to handle and sell to the citizens at actual cost, any allotment of food that the City might see fit to purchase from the government.

Trustee Montgomery moved, seconded by Trustee Morehead, that the City Engineer and Superintendent of Public Utilities be hereby authorized to continue the construction of the storm sewer in North Sacramento street, the course of same to be changed from center of street to the sidewalk space on west side of said street. The motion was unanimously adopted.

Miscellaneous bills amounting to \$683.50 were allowed and ordered paid.

Upon motion regularly made, seconded and carried, the Board adjourned to meet again at 8 o'clock P.M., Monday, August, 25th, 1919.

Attest:

  
City Clerk.